

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAMAR JORDAN,

Plaintiff,

v.

E. ANUNCIACION, et al.,

Defendants.

No. 1:20-cv-0467 JLT EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT

(Docs. 52, 63)

The plaintiff asserts he suffered violations of his Eighth Amendment rights while incarcerated. He contends Napoles and Anunciacion, both of whom are dentists, were deliberately indifferent to his serious medical needs related to post-operative dental care. (*See* Doc. 1.)

Defendants filed a motion for summary judgment. (Doc. 52.) The assigned magistrate judge found there were “genuine disputes of material fact regarding whether Defendants knowingly disregarded Plaintiff’s serious medical needs.” (Doc. 63 at 2, 19.) Therefore, the magistrate judge recommended the motion for summary judgment be denied. (*Id.*)

The Court granted the parties 21 days to file any objections to the Findings and Recommendations. (Doc. 63 at 19.) In addition, the Court advised them “that failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391,

1394 (9th Cir. 1991).) The deadline to file objections has passed and no objections were filed.

According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of the case.

Having carefully reviewed the entire matter, the Court concludes the magistrate judge's Findings

and Recommendations are supported by the record and by proper analysis. Thus, the Court

ORDERS:

1. The Findings and Recommendations issued on June 28, 2022 (Doc. 63), are

ADOPTED in full.

2. Defendants' motion for summary judgment (Doc. 52) is **DENIED**.

IT IS SO ORDERED.

Dated: **August 2, 2022**


UNITED STATES DISTRICT JUDGE